

PPM 422 SEVERITY DETERMINATION

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Purpose

This chapter describes why, when, and how the Counselor must conduct a severity determination. The chapter explains the various levels of severity and the information the Counselor can use when making the determination.

¹ Policy and Procedure Manual Indiana Vocational Rehabilitation Services • Division of Disability and Rehabilitative Services Indiana Family and Social Services Administration

Policies and Procedures

422.01 Requirement to Determine Severity

Following the assessment for determining eligibility and priority for services (see PPM 420), VR must make a severity determination. This determination establishes whether a consumer's disability is a most significant disability ("MSD"), significant disability ("SD") or disability ("not SD").

In addition to establishing the significance of disability and satisfying federal reporting requirements, the severity determination helps identify priority for services (if under an Order of Selection), and serves as a prerequisite for the initial IPE, trial work experiences, extended evaluations, or supported employment services.

422.02 Timeliness and Documentation

The Counselor must make a severity determination prior to signing the initial IPE. Before signing the IPE, the Counselor may review and change the severity determination to any appropriate level. Once the IPE is signed, however, the Counselor can only change the determination to a more significant level.

The Counselor must complete the severity determination within 10 business days of receiving the information necessary for making the determination. If the Counselor has only incomplete information, the Counselor may use professional judgment to assign a severity level, based on the record of services and direct observations.

The Counselor must conduct a review of the severity level at least annually, as part of the IPE review and amendment process. Additional severity determinations may be necessary in the following situations:

1. If the Counselor records significant changes to the consumer's disability, functional capacities, or service needs.
2. If service has been interrupted.
3. If the severity determination or the service priority is disputed.
4. If there are closures to any of statuses 08, 30, 28, or 26. (The additional assessment assures that all available severity information has been entered into IRIS and helps the Counselor determine whether the assigned severity level should be amended.)

The Counselor must accurately document each severity determination in the consumer's record of services.

422.03 Levels of Severity

The severity determination must establish that a consumer's disability is of one of three levels of significance:

1. **A consumer with a disability ("not SD")** meets both of the following conditions:
 - a. Has a physical or mental impairment that constitutes or results in a substantial impediment to employment.
 - b. Is presumed to be able to benefit in terms of an employment outcome from the provision of VR services.
2. **A consumer with a significant disability ("SD")** is a consumer with a disability, as described above, who also meets all of the following conditions:
 - a. Has a severe physical or mental impairment that seriously

limits one or more functional capacities necessary for employment (communication, interpersonal skills, mobility, self care, self direction, work skills, and work tolerance).

b. Requires multiple VR services over an extended period of time.

c. Has one or more physical or mental disabilities that cause comparable, substantial functional limitation.

3. A consumer with a most significant disability (“MSD”) is a consumer with a disability, as described above, who also meets all of the following conditions: a. Has a severe physical or mental impairment that seriously limits three or more functional capacities necessary for employment (communication, interpersonal skills, mobility, self care, self direction, work skills, and work tolerance).

b. Require multiple VR services over an extended period of time.

c. Has one or more physical or mental disabilities that cause comparable, substantial functional limitations.

422.04 Presumption of Severity for SSDI Beneficiaries and SSI Recipients

VR must presume that SSDI beneficiaries and blind/disabled SSI recipients are consumers with at least a significant disability (“SD”). As appropriate, the Counselor may determine that such consumers meet the requirements for most significant disability (“MSD”). If the Counselor relies on SSDI beneficiary or SSI recipient status to make a severity determination, the Counselor must place documentation of such status in the consumer’s record of services.

422.05 Information Used for Making the Severity Determination

To make a severity determination, the Counselor should consider information from the following sources:

1. The assessment for determining eligibility and priority for services.
2. The comprehensive assessment for determining vocational rehabilitation needs.
3. Other information obtained through the consumer's participation with VR.

The Counselor must base the severity determination only on the number of the consumer's functional capacities that are seriously limited, the number of vocational rehabilitation services the consumer will require, and the anticipated duration of the required services.

The Counselor must document all of the information and conclusions regarding severity in the consumer's record of services.

422.06 Determining a Consumer's Functional Capacity

The Counselor must use the criteria outlined in this section to determine whether the consumer has a serious limitation of functional capacity.

1. **Communication.** A consumer has a serious limitation of communication if (due to a physical or mental impairment) his or her expressive or receptive communication is currently limited to the extent that the consumer consistently requires the assistance of one or more individuals, or assistive technology devices or services, to exchange information in situations necessary to prepare for, enter or reenter, or maintain employment in an integrated setting.

2. **Interpersonal skills.** A consumer has a serious limitation of interpersonal skills if (due to a physical or mental impairment) he or she

is currently unable to form and maintain positive and productive relationships (including relationships with family members, care givers and other service providers, supervisors and managers, peers including coworkers, and the community) in a manner appropriate to age, setting, and circumstances, as necessary to prepare for, enter or reenter, or maintain employment in an integrated setting.

3. Mobility. A consumer has a serious limitation of mobility if (due to a physical or mental impairment) his or her mobility is currently limited to the extent that he or she consistently requires the assistance of one or more individuals, or assistive technology devices or services, to meet transfer, safety supervision, or other mobility needs in situations necessary to prepare for, enter or reenter, or maintain employment in an integrated setting.

4. Self care. A consumer has a serious limitation of self-care skills if (due to a physical or mental impairment) his or her daily living capacities are currently limited to the extent that he or she consistently requires the assistance of one or more individuals, or assistive technology devices or services, to eat, and/or meet toilet needs, and/or meet bathing, grooming and hygiene, and dressing/undressing needs, as necessary to prepare for, enter or reenter, or maintain employment in an integrated setting.

5. Self direction. A consumer has a serious limitation of self-direction skills if (due to a physical or mental impairment) the consumer's ability to manage his or her own affairs is currently limited to the extent that he or she consistently requires the assistance of one or more individuals, or assistive technology devices or services, to plan, initiate, complete, evaluate, or (as may be appropriate) modify his or her own decisions, behaviors, and actions in situations necessary to prepare for, enter or reenter, or maintain employment in an integrated setting.

6. Work skills. A consumer has a serious limitation of work skills if the consumer's work history reveals chronic unemployment or

underemployment and (due to a physical or mental impairment) the consumer meets all of the following requirements: a. He or she currently lacks the training, knowledge, experience, skills, or other job qualifications necessary to obtain and retain an employment outcome of his or her informed choice in an integrated setting, consistent with his or her vocational strengths, resources, priorities, concerns, abilities, capabilities, and interests.

b. He or she currently has significantly limited capacity to acquire the necessary training, knowledge, experience, skills, or other job qualifications.

c. He or she will require multiple vocational rehabilitation services of a substantial nature to prepare for, enter or reenter, or maintain employment in an integrated setting.

7.Work tolerance. A consumer has a serious limitation of work tolerance if (due to a physical or mental impairment causing a limitation of concentration, strength, or stamina) his or her ability to sustain work over the course of a full work day or a full work week is currently limited to the extent that the consumer consistently requires long-term accommodations of job duties, work schedules, break schedules, work environment, job supervision, peer supports, or job performance and retention expectations to prepare for, enter or reenter, or maintain employment in an integrated setting.

422.07 Multiple Services Over an Extended Period of Time

A consumer requires multiple VR services if two or more services will contribute substantially to the consumer's achievement of an employment outcome.

Supported Employment, which consists of job development, job placement, job retention, and follow-up services, is considered to be a multiple service. Thus, a consumer who requires only Supported Employment will be considered to require multiple services over an extended period of time.

Other services include the following:

1. **Vocational counseling and guidance** (i.e. significant interaction with a Counselor over the course of the consumer's vocational rehabilitation program).
2. **Physical and mental restoration services** (e.g. physical and occupational therapy, prosthetic and orthotic devices, hearing aids and related supplies and services).
3. **Rehabilitation technology services** (e.g. rehabilitation engineering, assistive technology devices, or assistive technology services).
4. **Training services** (e.g. postsecondary training, on-the-job training, Randolph-Sheppard vending facility training, rehabilitation teaching or orientation and mobility training for consumers who are blind, or other training).
5. **Job-related services** (e.g. job search, job development, job placement assistance, job retention services, or follow-up services).
6. **Consultation and technical assistance** (e.g. development of market analyses and/or business plans, procurement of operating capital, or the provision of other goods and services to assist a consumer who is establishing a small business enterprise).

A consumer requires services over an extended period of time if VR will provide at least two of the services listed above, in general, for six months or more after the IPE is signed.

Services that DO NOT count toward meeting the multiple services requirement include:

1. Services that VR provides as part of the assessment for determining eligibility and priority for services, trial work experiences, extended evaluations, or the comprehensive assessment for determining vocational rehabilitation needs.
2. Counseling and guidance that VR must provide universally to all eligible consumers. (such as is provided at intake, or providing information to help a consumer exercise informed choice).
3. Information and referral services.
4. Supporting services, including VR maintenance or transportation, services to family members, or personal assistance services (attendant, interpretation, note taking, or reading services).
5. Job-related follow-along that is limited to the 90-day closure requirement for rehabilitation.
6. Routine case management activities, such as the processing of required fiscal documents.

Authority: Federal regulations 34 CFR §§361.5(b)(6); 361.5(b)(28); 361.5(b)(30); 361.5(b)(31); 361.13(c); 361.29(d)(1); 361.39; 361.40; 361.42; 361.47; 361.48; 361.50(a); 361.52; 361.53; 361.54.